

## REMARKS

Upon entry of the amendments, claims 1-21 will be pending in the application.

Applicants have enclosed the requisite fee for the extra claim.

Applicants provide the following comments to the Office Action.

### *Abstract*

The Abstract has been amended to address the objection raised in the Office Action.

### *Specification*

Applicants have reviewed the specification and respectfully submit that the disclosure is not replete with grammatical and spelling errors. Some of the terms may not be familiar, such as similitude, but they are recognized terms.

### *Claim Rejections – 35 U.S.C. § 102*

Claims 1-18 are rejected as being anticipated by Bruder (U.S. 5,757,950). Applicants have carefully considered the rejection set forth in the Office Action and respectfully request that it be withdrawn.

The Bruder patent was discussed in the present application in the background of the invention section. Bruder discloses a method where images of a hide can be digitized to detect flaws. However, Bruder fails to inherently or explicitly disclose that a mask is established and then used to define zones of uniform characteristics on the remnants. These features are set forth in claim 1 as follows:

“establishing, for remnants of a determined type, at least one mask whose area is subdivided into various zones which correspond to different value levels of a characteristic of the material of the remnant”; and

“applying to the image of each remnant the mask or each mask corresponding to the type of the remnant by performing dimension matching so as to subdivide the image of the remnant into various zones having uniform characteristics”.

In contrast to the claimed invention, the Bruder method optically detects defects in the leather (remnants), stores the optical data and contours relating to parts to be cut from the leather, correlates the degree of the defects, defines regions in the parts that are to be cut from the leather and the maximum degree of defect, simulates a variety of arrangement so the maximum degree of defect is not exceeded, determines a degree of utilization for the leather, then cuts the arrangement from the leather. Reference is made to column 1, line 60 to column 2, line 20.

Applicants assert that Bruder discloses digitization of a particular hide in order to store information relative to the specific contour and to possible defective areas on that hide. This provides an image of a particular hide, not a mask applicable to all hides of a same type. Obviously, flaws may appear at any location on a hide. The information

representing the particular contour and location of flaws on a hide cannot be applied to other hides, even of the same type.

Applicants further submit that there is no disclosure in Bruder of the generation of a mask that would be generic for all hides of a particular type and which, when applied to various hides of that type, would enable to divide the surface of the hide into zones of characteristics, those characteristics relating to the material of the hide (e.g., color and grain size).

Applicants provide the following information in order to better understand the meaning of "mask". For a given hide type (corresponding to a given animal type), one or several masks are established. Each mask is intended to be applied to all hides of that type (subject to dimensional adaptation), because all those hides share common peculiarities with respect to variations of characteristics of the material at the surface of the hides. For another type of hide, one or several other masks would have to be established reflecting peculiarities common to that other type. Please refer to page 7, l. 6 to page 8, l. 16.

After an image of a particular hide has been digitized, each mask for that hide type is applied to the image. A division of the surface of that particular hide in several zones having homogeneous characteristics can thus be achieved.

In the specification, reference is made to Figures 3A, 3B which show masks 40, 50 applicable to cow hides, one mask for color shade (light, dark) and one mask for grain size (fine, coarse). This is explained on page 13, l. 16 to page 14, l. 23.

When a particular cow hide has been digitized, masks 40 and 50 can be applied thereto with, for example, dimensional adaptation (page 20, l. 1-18 and Figure 7) in order

to automatically divide the surface of that particular cow hide into zones of homogeneous characteristics, such as a light color-fine grain zone and a dark color-coarse grain zone.

At the final step of the method defined in claim 1, laying out of the pieces is achieved as a function, in particular of the constraints assigned to the pieces. Reference is made to page 20, l. 34 to page 21, l. 2.

There is no disclosure in Bruder regarding the creation of a mask valid for a type of remnants and of the application of that mask to a particular remnant in order to divide its surface into zones. Therefore, Bruder fails to inherently or explicitly disclose all the features of independent claim 1 and dependent claims 2-18.

### *New Claims*

Applicants have added new claims 19-21 to the application.

Independent claim 19 is similar to original claim 1, but further emphasizes some of the features of the invention as set forth in the application. Applicants respectfully submit that this claim is allowable for the reasons discussed in regards of claim 1.

Dependant claim 20 is similar to claim 2 and would be allowable because it is dependent on claim 19.

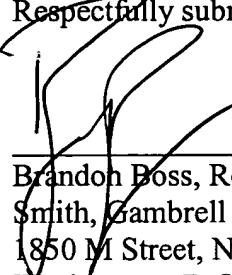
New independent claim 21 is supported by the disclosure and recites a method of generating a mask and applying the mask to an image from a first remnant to create zones for laying out pieces (e.g. for an article like a leather sofa).

## CONCLUSION

Applicants respectfully assert that the application should be allowed. If any additional fees are due in connection with the filing of this response, such as fees under 37 C.F.R. §§ 1.16 or 1.17, please charge the fees to Deposit Account No. 02-4300. Any overpayment can be credited to Deposit Account No. 02-4300.

Respectfully submitted,

Date: November 12, 2003      Signature:



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\* Mr. Boss limits his practice to matters and proceedings before federal courts and agencies. He is not a member of the District of Columbia bar, but he is a member of the state bar of Louisiana and is a registered patent attorney.